

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION**

CIVIL ACTION NO. 04-30177 KPN

**JOEL PENTLARGE,
Plaintiff,**

v.

**ROBERT MURPHY, *et al.*,
Defendants.**

**MOTION TO EXTEND TIME OF DEFENDANTS KATHLEEN DENNEHY,
ROBERT MURPHY AND THE MASSACHUSETTS DEPARTMENT OF
CORRECTION TO RESPOND TO THE PLAINTIFF'S MOTION FOR A
PRELIMINARY INJUNCTION TO REPAIR HEAT AND LEAKING ROOF
AND PLAINTIFF'S SECOND MOTION TO SUPPLEMENT COMPLAINT**

The Massachusetts Department of Correction ("DOC), Kathleen Dennehy and Robert Murphy (collectively, the "DOC Defendants"), hereby request that the Court extend the time for them to file an opposition to (1) the Plaintiff's Second Motion to Supplement the Complaint; and (2) the Plaintiff's Motion for a Preliminary Injunction ("Plaintiff's Motions") until and including December 30, 2004.

As grounds for this motion, the DOC Defendants state that additional time is needed due to their counsel's heavy workload. Counsel anticipates that she will represent the Commonwealth in a G.L. c. 123A, § 9 trial on December 21, 2004. This trial was scheduled for trial on December 6, 2004, but was postponed due to the Court's schedule. Counsel also has other professional obligations including attendance at depositions, a court appearance and other matters in the next two weeks.

It is counsel's understanding that the heat on the Plaintiff's housing unit has been repaired.

WHEREFORE, the DOC Defendants respectfully that this Court allow the DOC Defendants until December 30, 2004, to respond to the Plaintiff's Motions.

Respectfully submitted,
Massachusetts Department of Correction,
Kathleen Dennehy and Robert Murphy,

By their attorneys,

NANCY ANKERS WHITE
Special Assistant Attorney General

By: /s/ Mary P. Murray
Mary P. Murray, Counsel (BBO # 555215)
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Dated: December 9, 2004

Certificate of Service

I hereby certify that I caused a copy of the within document to be served on the *pro se* plaintiff, Joel Pentlarge, by intra-facility mail.

/s/ Mary P. Murray
Mary P. Murray

Dated: December 9, 2004